

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

MAJOR GRUBBS

PLAINTIFF

VS.

CIVIL ACTION NO. 5:07cv123-DCB-MTP

UNKNOWN GREER

DEFENDANT

JUDGMENT

This matter having come on to be heard on this date upon the Report and Recommendation of the United States Magistrate Judge entered in this cause, and the Court, after a full review of the record, having adopted said Report and Recommendation as the finding of this Court by Order dated this day, finds that this matter should be dismissed with prejudice.

Further, the Plaintiff's claim is frivolous, and this dismissal shall count as a strike for purposes of 28 U.S.C. § 1915(g). *See Carson vs. Holton*, No. 06-11254, 2007 WL 2051969, at *1 (5th Cir. July 18, 2007).

IT IS, THEREFORE, ORDERED AND ADJUDGED that the above captioned cause be, and the same is hereby, dismissed with prejudice and this dismissal shall count as a strike for purposes of 28 U.S.C . § 1915(g).

SO ORDERED this the 18th day of August , 2008.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE